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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

STATE OF CALIFORNIA, STATE OF
COLORADO, STATE OF DELAWARE,
COMMONWEALTH OF
MASSACHUSETTS, STATE OF NEW
JERSEY, STATE OF NEW MEXICO,
STATE OF NEW YORK, STATE OF
OREGON, STATE OF RHODE ISLAND,
STATE OF VERMONT, and STATE OF
WASHINGTON,

Plaintiffs,

v.

UNITED STATES OF AMERICA, U.S.
ENVIRONMENTAL PROTECTION
AGENCY, LEE ZELDIN, in his official
capacity as Administrator of the U.S.
Environmental Protection Agency, and
DONALD J. TRUMP, in his official
capacity as President of the United States,

Defendants.

No. 4:25-cv-04966-HSG

**DECLARATION OF RODNEY
WEINZIERL IN SUPPORT OF
ILLINOIS CORN GROWERS
ASSOCIATION'S MOTION TO
INTERVENE**

I, Rodney Weinzierl, declare as follows:

1. I make this declaration in support of Illinois Corn Growers Association's Motion to Intervene, to which this declaration is attached. I make the statements of fact in this declaration of my own personal knowledge. If called as a witness in this action, I could and would testify competently to the facts set forth herein.

2. I am the Executive Director of the Illinois Corn Growers Association, a nonprofit trade association based in Illinois with a membership of over 3,500 corn farmers, as well as their supporters and members of corn farming-related industries. We operate to promote the general commercial, legislative, and other common interests of our members.

3. I am familiar with all aspects of the Association's work and with the market for corn and products, such as ethanol, that are made using the corn grown by our members.

4. Illinois is the nation's second leading corn producer, with a total production of

1 more than 2 billion bushels of corn. A primary use of this corn is as a feedstock for ethanol
2 production. Nationwide, about 40% of U.S. corn crops are used for ethanol and related
3 products. Steven Ramsey, et al., *Global Demand for Fuel Ethanol Through 2030*, USDA
4 Economic Research Service, <https://perma.cc/N75B-PPNW> (June 27, 2025).

5 5. The ethanol industry supports more than 300,000 jobs in 24 states. Ethanol
6 contributes more than \$53 billion to the national GDP and profitably processed
7 approximately 5.5 billion bushels of corn in 2024.

8 6. Ethanol is the second-largest component of the fuel that powers the United
9 States' vehicle fleet. Ethanol provides a low carbon source of energy and octane rating—a
10 measure of a fuel's resistance to "knocking" in an engine—reducing vehicles' fuel usage, net
11 greenhouse gas emissions, and the emission of toxic chemicals such as benzene. Across most
12 of the United States, refiners add 10% ethanol to gasoline in part to raise its octane rating to
13 a level suitable for use in most vehicles. In 2022, alone, the use of ethanol reduced greenhouse
14 gas emissions by more than 50 million metric tons, equivalent to the savings of turning off
15 131 natural gas-fired power plants. See EPA, *Greenhouse Gas Equivalencies Calculator* (June 24,
16 2025), <https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator>.

17 7. California has adopted several emissions programs for motor vehicles that aim
18 to reduce gasoline consumption (and the greenhouse gas emissions generated by combusting
19 that gasoline) by mandating sales of electric vehicles.

20 8. California's Advanced Clean Cars II ("ACC II") program requires
21 manufacturers to sell an annually increasing percentage share of electric cars and light trucks
22 (and so an annually decreasing percentage share of internal-combustion vehicles) starting in
23 model year 2026. The required electric vehicle sales start at 35% of the fleet in model year
24 2026 and increase to 100% by model year 2035, which means all cars and light trucks sold
25 must be electric, with some exceptions for plug-in electric hybrid vehicles. Cal. Code Regs.
26 tit. 13, § 1962.4. Eleven other states have adopted California's ACC II standards. See
27 California Air Resources Board ("CARB"), *States That Have Adopted California's Vehicle*
28 *Regulations*, <https://perma.cc/AG5L-GZFN> (June 26, 2025).

1 9. California's Advanced Clean Trucks ("ACT") program requires manufacturers
2 of medium- and heavy-duty trucks to sell an annually increasing percentage share of electric
3 vehicles (and so an annually decreasing percentage share of internal-combustion vehicles)
4 starting in model year 2024. Sales of internal-combustion engine vehicles must be offset with
5 "credits" generated by sales of electric trucks. The required offset increases annually, and
6 varies by vehicle class. By 2035, ACT requires manufacturers to offset at least 55% of their
7 Class 2b-3 sales (heavy-duty pickups), 75% of their Class 4-8 sales (from box trucks to semis),
8 and 40% of their Class 7-8 (day and sleeper cab semis) with sales of electric trucks. Cal. Code
9 Regs. tit 13, §§ 1963.1, 1963.2. Ten other states have adopted California's ACT standards. *See*
10 CARB, *States That Have Adopted California's Vehicle Regulations*, [https://perma.cc/AG5L-](https://perma.cc/AG5L-GZFN)
11 [GZFN](https://perma.cc/AG5L-GZFN) (June 26, 2025).

12 10. California's Heavy-Duty Engine and Vehicle Omnibus ("Omnibus") program,
13 among other things, sets stringent nitrogen-oxide emissions standards for model year 2024
14 and later medium- and heavy-duty vehicles and engines. Cal. Code Regs. tit. 13, § 1956.8. I
15 understand that the standards are so low that, in practice, manufacturers must sell some
16 electric vehicles and engines to comply. Nine other states have adopted California's Omnibus
17 regulations. *See* CARB, *States That Have Adopted California's Vehicle Regulations*,
18 <https://perma.cc/AG5L-GZFN> (June 26, 2025).

19 11. Generally, state regulations related to new vehicle emissions are prohibited by
20 the federal Clean Air Act. 42 U.S.C. § 7543(a). However, the U.S. Environmental Protection
21 Agency ("EPA") granted California waivers of Clean Air Act preemption, which would have
22 allowed California and other states to enforce the programs. 88 Fed. Reg. 20,688 (Apr. 6,
23 2023); 90 Fed. Reg. 643 (Jan. 6, 2025); 90 Fed. Reg. 643 (Jan. 6, 2025); *see* 42 U.S.C. §§ 7507,
24 7543(b). On June 12, 2025, President Trump signed resolutions of disapproval that repeal
25 those waivers. If California and other states succeed in their lawsuit challenging that repeal,
26 they may be able to enforce ACC II, ACT, and the Omnibus program, and the Association
27 and its members will be harmed.

28 12. California's standards aim to increase the share of electric vehicles on the road,

1 and so decrease the share of gasoline-powered vehicles. Basic economic principles and
 2 common-sense dictate that the standards will therefore decrease demand for automobile
 3 gasoline. Indeed, California acknowledges its standards will reduce gasoline demand. *See*
 4 CARB, *ACC II Initial Statement of Reasons* 169 (discussing the “decrease in gasoline sales” from
 5 ACC II), <https://perma.cc/S8C5-HL4Y> (June 27, 2025); CARB, *ACT Initial Statement of*
 6 *Reasons* IX-34 (“Displacing gasoline and diesel with electricity and hydrogen [as required by
 7 ACT] will decrease the total amount of gasoline and diesel dispensed in the state...”),
 8 <https://perma.cc/M6ZJ-UPNF> (June 27, 2025); *id.* at IX-40 (ACT is predicted to cause “a
 9 relatively large decrease in demand for gasoline and diesel”).

10 13. California’s standards will therefore also drive down demand for ethanol, since
 11 U.S. production of fuel ethanol tracks demand for automobile fuels. *See* U.S. Energy
 12 Information Administration, *Biofuels explained: Ethanol*, <https://perma.cc/5L4C-GWG4>
 13 (June 27, 2025). (“Fuel ethanol production fell in 2020, mainly because lower overall gasoline
 14 demand reduced the demand for ethanol blending into motor gasoline.”).

15 14. This demand destruction harms members of the Illinois Corn Growers
 16 Association by decreasing demand for the corn they grow and the price they can obtain for
 17 their crops. Because ethanol is a primary market for U.S. corn crops, lower ethanol production
 18 leads to lower corn prices. Nicole Condon, et al., *Impacts of ethanol policy on corn prices: A review*
 19 *and meta-analysis of recent evidence*, 51 Food Policy 63, 71 (2015) (“increasing corn ethanol
 20 production” by one billion gallons “would increase corn prices by three to four percent” while
 21 decreasing by one billion gallons “would result in a three to four percent drop in corn prices,
 22 since scenarios examining ethanol increases and decrease have roughly symmetrical effects
 23 on corn prices”).

24 15. These financial harms affect our members and also redound to the Association
 25 itself, which will lose funding it uses to pursue its mission of advocating for the interests of its
 26 members.

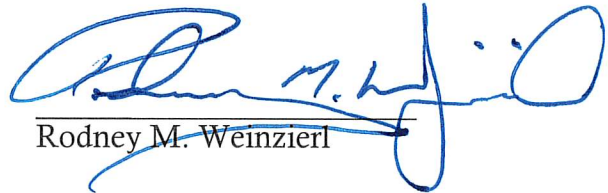
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1 16. The Illinois Corn Growers Association therefore has an interest in ensuring
2 that the resolutions repealing the waivers are given full legal effect so that California and other
3 states are prohibited from enforcing the ACC II, ACT, and Omnibus standards.
4

5 I declare under penalty of perjury under the laws of the United States of America that
6 the foregoing is true and correct.

7
8 Executed on July 11, 2025.


Rodney M. Weinzierl